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FEB 20 2004

OFFICE OF PETITIONS

#133 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application )  
No. 08/858,245 ) For: Method and Apparatus for  
 ) Optimization of a Cellular  
 ) Network  
Roberto Padovani )  
 )  
Examiner: Nguyen Thanh Vo )  
 )  
Filed: May 19, 1997 ) Group No. 2685

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED**  
**UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

1. This application became abandoned on January 11, 2004.
2. This petition is filed:  
 within one year of the date of abandonment.  
 within three months of the date of the first decision on a petition to revive under 37 CFR 1.137(a) which was filed within one year of the date of abandonment.  
 the three month period has been extended up to (Type Date).  
 enclosed is a petition and fee for extension of the three month period to January 11, 2004.

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**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Depositor's Name: Christine Hughey  
(type or print name)

Date: 02/12/2004

Signature: Christine Hughey

**FACSIMILE**

transmitted by facsimile to the Patent and Trademark Office.

Depositor's Name: \_\_\_\_\_  
(type or print name)

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Attorney Docket No.: QCPA418B

Customer No.: 23696

02/12/2004 ANDDAF1 00000054 170026

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01 FC:1453

3. This application became abandoned unintentional.
4. Proposed response:  
 has been filed.  
 is attached.  
 The response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application copending with this application.
5. Fee (37 CFR 1.17(m))  
Application status is:  
 small entity – fee \$650.00.  
 Verified Statement attached.  
 Verified Statement filed.  
 other than small entity – fee \$1,330.00.
6. Payment of fee:  
 Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated in the amount of \$1,330.00. The Commissioner is hereby authorized to charge payment of any additional fees which may be required, or credit any overpayment, to said Deposit Account No. 17-0026. A duplicate of this sheet is enclosed.  
 The Commissioner is further hereby authorized to charge to said Deposit Account No. 17-0026, pursuant 37 CFR 1.25(b), any fee whatsoever which may become properly due or payable, as set forth in 37 CFR 1.16 to 37 CFR 1.18 inclusive, for the entire pendency of this application without specific additional authorization.

The undersigned declares further that all statements made herein are of his or her own knowledge are true and that statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Dated: 02/12/2004

By: Dean Tricarico  
Dean J. Tricarico, Reg. No. 53,703  
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